## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Level 1974 A INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

| I. (a) PLAINTIFFS  |   |   |                 | DEFENDAN   | 15           |                   |  |                          |                            |          |  |
|--|---|---|-----------------|--|--------------|-------------------|--|--------------------------|----------------------------|----------|--|
| Rusti L. Maxwell   |   |   |                 | Arcosa Aggregates, Inc. aka Arcosa, Inc. aka Arcosa<br>Aggregates aka Arcosa Aggregates - ASA aka Arcosa   |              |                   |  |                          |                            |          |  |
| (b) County of Residence o  |   | County of Residence of First Listed Defendant Dallas County |                 |  |              |                   |  |                          |                            |          |  |
| (b) County of Residence of First Listed Plaintiff McLennan County (EXCEPT IN U.S. PLAINTIFF CASES) |   |   |                 | (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  |              |                   |  |                          |                            |          |  |
| (c) Attorneys (Firm Name, Address, and Telephone Number)   |   |   |                 | Attorneys (If Known)   |              |                   |  |                          |                            |          |  |
| Danny C. Wash, Wash & Thomas, 6613 Sanger Ave.   |   |   |                 | Eva W. Turner and Robyn M. Funk, Ogletree Deakins,   |              |                   |  |                          |                            |          |  |
| Waco, Tx 76710, 254-776-3611   |   |   |                 | 8117 Preston Rd #500, Dallas, Tx 75225, 214-987-3800   |              |                   |  |                          |                            |          |  |
| II. BASIS OF JURISDICTION (Place an "X" in One Box Only)   |   |   |                 | III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant)   |              |                   |  |                          |                            |          |  |
| U.S. Government Plaintiff  |   |   |                 | PTF DEF PTF DEF tizen of This State 1 Incorporated or Principal Place 4 4  |              |                   |  |                          |                            |          |  |
| U.S. Government Defendant  | 4 Diversity (Indicate Citizenship)        | of Parties in Item III)                                     | Citize          | en of Another State  | _ 2          | _ 2               | Incorporated and Pr<br>of Business In Ar |                          | _ 5                        | 5        |  |
|  |   |   |                 | en or Subject of a<br>reign Country  | 3            | 3                 | Foreign Nation                           |                          | 6                          | 6        |  |
| IV. NATURE OF SUIT   |   |   | P.              | DEELTH DE MENALT   |              |                   | for: Nature of Su                        |                          |                            |          |  |
| CONTRACT TORTS  110 Insurance PERSONAL INJURY PERSONAL INJUR                                       |   |   |                 | DRFEITURE/PENALT  5 Drug Related Seizure   | 1            |                   | KRUPTCY<br>cal 28 USC 158                | 375 False O              | STATUT                     |          |  |
| 120 Marine   | 310 Airplane                              | 365 Personal Injury -                                       |                 | of Property 21 USC 8   | 81           | 423 With          | ndrawal                                  | 376 Qui Ta               | am (31 USC                 |          |  |
| 130 Miller Act 140 Negotiable Instrument   | 315 Airplane Product Liability            | Product Liability  367 Health Care/                         | 100             | 0 Other  |              | 28 (              | JSC 157                                  | 3729(a<br>400 State F    |                            | nment    |  |
| 150 Recovery of Overpayment<br>& Enforcement of Judgment   | 320 Assault, Libel &<br>Slander           | Pharmaceutical<br>Personal Injury                           |                 |  |              | PROPER<br>820 Cop | TY RIGHTS                                | 410 Antitru<br>430 Banks |                            | ng       |  |
| 151 Medicare Act   | 330 Federal Employers'                    | Product Liability   |                 |  | H            | 830 Pate          | nt                                       | 450 Comm                 | nerce                      | ig       |  |
| 152 Recovery of Defaulted<br>Student Loans   | Liability 240 Marine                      | 368 Asbestos Personal<br>Injury Product                     | 1               |  |              |                   | nt - Abbreviated  Drug Application       | 460 Deport               |                            | nced and |  |
| (Excludes Veterans)  | 345 Marine Product                        | Liability   | my Master       | Catalogue de la populación de la companya de la com | 14000        | 840 Trac          | lemark                                   |                          | ot Organiza                |          |  |
| 153 Recovery of Overpayment<br>of Veteran's Benefits   | Liability 350 Motor Vehicle               | PERSONAL PROPER  370 Other Fraud                            |                 | LABOR  0 Fair Labor Standards  | (Editor)     |                   | end Trade Secrets<br>of 2016             | 480 Consu<br>(15 U       | SC 1681 or                 |          |  |
| 160 Stockholders' Suits  | 355 Motor Vehicle                         | 371 Truth in Lending<br>380 Other Personal                  |                 | Act<br>20 Labor/Management   | W(\$1)       | COCIA             | LSECURITY                                |                          | none Consu                 | ımer     |  |
| 195 Contract Product Liability   | Product Liability  360 Other Personal     | Property Damage   |                 | Relations  | ACRA         |                   | (1395ff)                                 | 490 Cable/               |                            |          |  |
| 196 Franchise  | Injury 362 Personal Injury -              | 385 Property Damage<br>Product Liability                    |                 | 10 Railway Labor Act   | R            |                   | ck Lung (923)<br>VC/DIWW (405(g))        | 850 Securi<br>Excha      | ties/Comm                  | odities/ |  |
| nn is nn annmail   | Medical Malpractice                       | **************************************                      |                 | Leave Act  |              | 864 SSI           | D Title XVI                              | 890 Other                | Statutory A                |          |  |
| REAL PROPERTY 210 Land Condemnation  | 440 Other Civil Rights                    | PRISONER PETITIO<br>Habeas Corpus:                          |                 | 00 Other Labor Litigation 11 Employee Retirement   |              | 865 RSI           | (405(g))                                 |                          | ultural Acts<br>onmental M |          |  |
| 220 Forcelosure  | 441 Voting                                | 463 Alien Detainee  |                 | Income Security Act  | <b>535</b>   |                   | AL TAX SUITS                             |                          | om of Infor                | mation   |  |
| 230 Rent Lease & Ejectment<br>240 Torts to Land  | x 442 Employment<br>443 Housing/          | 510 Motions to Vacate<br>Sentence                           | c               |  |              |                   | es (U.S. Plaintiff<br>Defendant)         | Act<br>896 Arbitr        | ation                      |          |  |
| 245 Tort Product Liability 290 All Other Real Property   | Accommodations 445 Amer. w/Disabilities - | 530 General<br>535 Death Penalty                            | 2018            | IMMIGRATION  | -CE-90-00    |                   | —Third Party<br>USC 7609                 |                          | nistrative Preview or A    |          |  |
| 290 All Other Real Property  | Employment                                | Other:  |                 | 52 Naturalization Applic   |              | 20                | 030 7009                                 | Agenc                    | y Decision                 | 1        |  |
|  | 446 Amer. w/Disabilities - Other          | 540 Mandamus & Oth<br>550 Civil Rights                      | ier 4           | 55 Other Immigration<br>Actions  |              |                   |  |                          | itutionality<br>Statutes   | of       |  |
|  | 448 Education                             | 555 Prison Condition  |                 |  |              |                   |  | (30000                   |                            |          |  |
|  |   | 560 Civil Detaince -<br>Conditions of                       |                 |  |              |                   |  |                          |                            |          |  |
| V. ORIGIN (Place an "X" i  | in Our Bay Outs                           | Confinement   |                 |  |              |                   |  | L                        |                            |          |  |
| 1 Original x 2 Re  | moved from 3 R                            | emanded from [ppellate Court                                | □ 4 Reir<br>Reo | pened An   | nsferred     |                   | 6 Multidistri                            | 1 1                      | Multidis<br>Litigatio      | on -     |  |
|  | Cite the U.S. Civil Statu                 | ite under which you a                                       | re filing       |  | ecify)       | e unleve d        | Transfer                                 |                          | Direct F                   | ·ile     |  |
| VI. CAUSE OF ACTIO   | 42 U.S.C. 82000e: 42 U.                   |   | ire ining (     | Do not the jurishit home   | ir siiiiiie. | 1 11/1/23 11      |  |                          |                            |          |  |
|  | Title VII, ADA, FMLA                      | se:   |                 |  |              |                   |  |                          |                            |          |  |
| VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.              |   |   |                 | DEMAND \$ CHECK YES only if demanded in complaint:  JURY DEMAND: Yes No  |              |                   |  |                          |                            |          |  |
| VIII. RELATED CAS<br>IF ANY  | (See instructions):                       | JUDGE   |                 |  |              | DOCK              | ET NUMBER                                |                          |                            |          |  |
| DATE 1 .   | 1   | SIGNATURE OF AT   | TORNEY          | OF RECORD  |              |                   |  |                          |                            |          |  |
| 12/8/202<br>FOR OFFICE USE ONLY  | 0   | Wan   | 1.0             | mine   | 7            |                   |  | <del></del>              |                            |          |  |
|  | MOUNT                                     | APPLYING IFP  |                 | JUDO   | E            |                   | MAG. JUI                                 | OGE                      |                            |          |  |